FILED
January 3, 2022
KAREN MITCHELL
CLERK, U.S. DISTRICT COURT

Case: 3-22-cv-00007

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

ORIGINAL

CHAVEZ

Juan Chavez d.b.a Fine Arts Education Reform
Plaintiff

v.

CAPELLA, et al

Scott Ruse et al
Defendant

2018 OCT 18 PM 3: 17

3-18CV2781-K

Civil Action No.

COMPLAINT

RICO

1. On October 18, 2016, in Dallas, Texas, Scott Ruse ordered DISD police to break Chavez' left hand.

2. Chavez was ___ of protection to section 1983 by the DISD ___.

3. He was ma___ perform un___ bor and a___ ed kidnapping.

4. All plaintif___ defend___ domiciled i___ rent state___ amage ex___ eds $75,001.

The plaintiff ___ ual. Please grant liber___ endme___ this complaint ___ d give kno___ e of what i___
necessary to ___ iff to hold for any o___ relief t___ ay be just and ___ uitable.

* Attach additional pages as needed.

Date	10/17/2018
Signature	*[signature]*
Print Name	Juan Chavez
Address	1355 New York Ave NE
City, State, Zip	Washington, DC 20002
Telephone	202-643-35

1/2/22

10

Re:fund

1 message

Juan Chavez <jchavez@alumni.berklee.edu>   Sun, Jan 2, 2022 at 9:30 PM
Draft To: Stratman, Kelly <kelly.stratman@capella.edu>, Tanner, Amanda <AMANDA.TANNER@capella.edu>
Cc: Aurora.Adams@capella.edu

To:
Capella University – Mpls
PO Box 211563
Dallas, TX 75211

Good evening and Happy New Year,

I have done enough work, for your institution and others, to don Distinguished accolades. I have for certain always performed, even when discouraged, marked red, falsely deemed a non-performer. And, I, without any doubt. . . certainly by a preponderance of the credible evidence, am worthy of Basic Competency as a matter of course. . . . in an Intro course I am taking for a second time within your Sister Schools.

I deserve at least Basic competency CREDIT for the second Intro to Business course that is now blocking me from making submissions. At the very least I deserve a reasonable extension to submit the requested revisions. **But, what I am asking you for here, now, is a good old fashion, *customer's always right*, refund.** Not of what I paid, but what you worked with the U. S. Department of Education to in-debt me with. It's unclear if your institution has any knowledge or practice of cryptocurrency, but I am able to accept the funds in Ethereum, Bitcoin and or Stocks thanks to Cashapp, Coinbase, and other new business applications.

Thank you for all of the work we've done. I look forward to continuing our Education mission and pursuit, equitably, moving forward.

- Maestro Chavez

BFlat+ Media Publishing
Juan Pablo Chavez
106 ½ Judge John Aiso St. #722
Los Angeles, CA 90012
http://bflatplus.media/publishing
(702) 706-ARTS

% Reason, Logic & Law
151 1st Ave, 270,
New York, NY 10003
http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez $reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com
Tel: (302) 566-JUAN

Chime: $JuanPabloChavez

--

Good morning 🌅

I'm going to do my best. On this last day of my first semester at Capella, I would like to say thank you for being my professor. If my advisor has a supervisor or peer that is working today #PleaseForward them this email thread?

-Juan

BFlat+ Media Publishing
Juan Pablo Chavez
106 ½ Judge John Aiso St. #722
Los Angeles, CA 90012
http://bflatplus.media/publishing
(702) 706-ARTS

% Reason, Logic & Law
151 1st Ave, 270,
New York, NY 10003
http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez $reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com
Tel: (302) 566-JUAN

Chime: $JuanPabloChavez

Hide quoted text

On Sun, Jan 2, 2022, 4:58 AM Tanner, Amanda
<Amanda.Tanner@capella.edu> wrote:

> Juan,
> You'll need to get the assessments
> completed today, in time for me to get
> them graded. If you meet the scoring
> requirements, I will approve your
> extension.
>
> The extension does not happen
> automatically. You will need to apply
> for one. I believe you do that with your
> advisor. I saw they sent you the
> information in an earlier email.
> Extensions, other than approval, are
> not my department,
>
> Warmly,
>
> Amanda
>
> ---
>
> **Amanda A. Tanner, MBA** | Business Faculty, School
> of Business, Technology, and Health Care
> Administration | **Capella University** |
> 612.372.9889 | She/Her/Hers

From: Juan Chavez
<jchavez@alumni.berklee.edu>
Sent: Saturday, January 1, 2022 10:01 PM
To: Tanner, Amanda
<Amanda.Tanner@Capella.edu>
Cc: Stratman, Kelly
<Kelly.Stratman@Capella.edu>
Subject: Re: Ext. of Time to Complete Intro

Thank you. Re: hope; what I mean is. . . If within the next 26 hours I reach basic competency on three assignments will you be able to provide the required documentation timely for an extension in light of the holiday Monday?

Or have those deadlines past? "Futile"

"and the incomplete needs to be submitted before the course close date. Once you have faculty approval, I will need that documentation along with the other requirements before I would be able to submit for the incomplete request."

Gracias.

On Sat, Jan 1, 2022 at 6:53 PM Tanner, Amanda <Amanda.Tanner@capella.edu> wrote:

> Juan,
> There are four assessments in class. For 3 of the 4 assessments, you must complete all the criteria at a basic level or higher. The basic level on each box of the scoring guide is the minimum competency requirement. You need to meet that requirement on 3 of the 4 assessments.
>
> It is not up to me to determine whether there is hope. I can only say that there are now 26 hours remaining to submit your work.
>
> Warmly,
>
> Amanda
>
> ---
>
> **Amanda A. Tanner, MBA** | Business Faculty, School of Business, Technology, and Health Care Administration | **Capella University** | 612.372.9889 | She/Her/Hers
>
> ---
>
> **From:** Juan Chavez
> <jchavez@alumni.berklee.edu>
> **Sent:** Saturday, January 1, 2022 9:45 PM
>
> **To:** Tanner, Amanda
> <Amanda.Tanner@Capella.edu>

Cc: Stratman, Kelly
<Kelly.Stratman@Capella.edu>
Subject: Re: Ext. of Time to Complete Intro

- "Not eligible if all assessments are completed at the minimum competency requirement."

- "the assessment scores need to be above the minimum competency requirement,"

I can't make cents of that language. Could it clearly be saying that if one assignment is less than Proficient than I am not eligible? Or for above minimum competency mean Basic and higher?

I have no clue how you're calculating percent?! 75% mean 3 out of the four assessments and basic or higher?

Thank you again for your help. Sorry for the tight boundary conditions.

If an extension is futile at this point due to tomorrow being Sunday please let me know? If there's hope… I will make submissions tomorrow by 3pm PST

-Juan

On Sat, Jan 1, 2022 at 5:44 PM Tanner, Amanda <Amanda.Tanner@capella.edu> wrote:
> Hi Juan,
> After grading your four submissions today, you are not yet eligible for an extension. I left **extensive formative feedback** on each of the scoring guides to guide you to the basic level of completion. I hope that you have better luck tomorrow.
>
> Warmly,
>
> Amanda
>
> ---
>
> **Amanda A. Tanner, MBA** | Business Faculty, School of Business, Technology, and Health Care Administration | **Capella University** | 612.372.9889 | She/Her/Hers
>
> ---
>
> **From:** Juan Chavez <jchavez@alumni.berklee.edu>

Sent: Saturday, January 1, 2022 5:58 PM
To: Tanner, Amanda
<Amanda.Tanner@Capella.edu>
Cc: Stratman, Kelly
<Kelly.Stratman@Capella.edu>; FAST - CU
<FAST@Capella.edu>; eFaxDocMgmt
<eFaxDocMgmt@capella.edu>; FAST - CU
<FAST@Capella.edu>; BorrowerDe
fense@ed.gov <BorrowerDefense@
ed.gov>
Subject: Re: Ext. of Time to Complete Intro

See attachments and advise as to whether 75%
"incomplete" may grant extension?

If After evaluatingThe finalAssessmentWe're not
at75%

Be very clear aboutAbout whatIs neededIn order
toMeet that requirement

#VoICe2TeXtiNdeeD

On Sat, Jan 1, 2022, 6:04 AM Tanner, Amanda
<Amanda.Tanner@capella.edu> wrote:

> Good luck, Juan, and Happy 2022
> to you!
>
> ~Amanda
>
> _____
>
> **Amanda A. Tanner, MBA** | Business Faculty,
> School of Business, Technology, and Health
> Care Administration | **Capella University** |
> 612.372.9889 | She/Her/Hers
>
> _____
>
> **From:** Juan Chavez
> <jchavez@alumni.berklee.edu>
> **Sent:** Saturday, January 1, 2022 8:57 AM
> **To:** Tanner, Amanda
> <Amanda.Tanner@Capella.edu>
> **Subject:** Re: Ext. of Time to Complete
> Intro
>
> Good morning 🌄Amanda,
>
> And, Happy 2022!
>
> I will do my best to submit enough work to
> qualify for the extension. Wish me luck!
>
> --
> BFlat+ Media Publishing
> Juan Pablo Chavez
> 106 ½ Judge John Aiso St. #722
> Los Angeles, CA 90012
> http://bflatplus.media/publishing
> (702) 706-ARTS
>
> % Reason, Logic & Law
> 151 1st Ave, 270,
> New York, NY 10003

http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez $reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com
Tel: (302) 566-JUAN

Chime: $JuanPabloChavez

On Sat, Jan 1, 2022, 5:41 AM Tanner, Amanda <Amanda.Tanner@capella.edu> wrote:

Good Morning Juan,

Here are the requirements for an extension in First Course:

First Course in FlexPath

- Must have successfully completed 75% or more of the course assessments.

- Not eligible if all assessments are completed at the minimum competency requirement.

- Must contact a FlexPath Coach via phone or email within 14 calendar days prior to the course end date. It is important to note that at a minimum, **you must contact your FlexPath Coach at least one business day before the end of your course (during normal business hours).** Requests submitted after the course end date will result in a course failure.

- Faculty will review and determine request outcome and render a

decision on your request.

I will be grading today, so go ahead and submit your work. I do not grade after 7 p.m. Tomorrow is your last day.

Warmly,

Amanda

Amanda A. Tanner, MBA | Business Faculty, School of Business, Technology, and Health Care Administration | **Capella University** | 612.372.9889 | She/Her/Hers

---

From: Juan Chavez <jchavez@alumni.berklee.edu>
Sent: Friday, December 31, 2021 7:31 PM
To: Stratman, Kelly <Kelly.Stratman@Capella.edu>
Cc: Tanner, Amanda <Amanda.Tanner@Capella.edu>; eFaxDocMgmt <eFaxDocMgmt@capella.edu>; FAST - CU <FAST@Capella.edu>; FAST - CU <FAST@Capella.edu>; BorrowerDefense@ed.gov <BorrowerDefense@ed.gov>
Subject: Re: Ext. of Time to Complete Intro

Hello Kelly,

Thank you for the prompt response. Am I understanding clearly that if I finish three of the four assignments with greater than "Basic" competency (which appears to be "Proficient" competency) by this Sunday, January 2, 2022 at 11:59 p. m. Central Standard Time; And, Ms. Tanner approves and provides "Incomplete" documentation to you this holyday weekend. . . You will on Wednesday, January 5, 2022 have the authority to grant some extension?

I spoke with Ms. Tanner regarding course completion earlier this semester (see attached PDF). But, she made no mention of extensions. And, discovering the right on New Year's Eve seems restrictive, and I am feeling discouraged.

Please let me know if there's any hope for an "incomplete" submission in light of the narrow time boundary conditions and lack of ensured understanding?

Good bye 2021! Happy 2022 😊 🎉
Thanks again,
Juan

On Fri, Dec 31, 2021, 3:34 PM Stratman,
Kelly <Kelly.Stratman@capella.edu> wrote:

> Juan,
>
> Thanks so much for reaching out. For an incomplete to be approved, you need faculty approval, you need to have successfully completed 75% or more of the course assessments, the assessment scores need to be above the minimum competency requirement, and the incomplete needs to be submitted before the course close date. Once you have faculty approval, I will need that documentation along with the other requirements before I would be able to submit for the incomplete request. Capella is closed on Monday, and I am out of the office on Tuesday. You can connect with one of my colleagues if you need further assistance.
>
> Kelly
>
> Have a question about your course room, engagement, feedback, policies, or other? Check out the new FlexPath Page on the Campus. It could save you a lot of time!
>
> **Kelly Stratman** | Academic Coach | She/Her | Phone: 888.421.0824
> 225 South 6th Street, Minneapolis, MN 55402 Opt In to Text | Refer a Friend | Click here to schedule an appointment with me. Please allow up to 48 business hours for email replies* If immediate assistance is needed you can connect with another team member by calling 1.888.227.3552 Option 2

From: Juan Chavez
<jchavez@alumni.berklee.edu>
Sent: Friday, December 31, 2021 4:24 PM
To: Stratman, Kelly
<Kelly.Stratman@Capella.edu>; Tanner,
Amanda
<Amanda.Tanner@Capella.edu>; B
orrowerDefense@ed.gov
Cc: eFaxDocMgmt
<eFaxDocMgmt@capella.edu>; FAST - CU
<FAST@Capella.edu>; FAST - CU
<FAST@Capella.edu>
Subject: Ext. of Time to Complete Intro

Hello and Happy New Year,

I need an extension of time to
complete BUS-FPX3007 and may qualify
due to hospitalization, involuntary
servitude, want of privacy, global
pandemic, technological hurdles, and
imposed total and permanent disability.

Please grant maximum extension of time
to complete course and advise regarding
the procedure for any additional extension
that may be available?

Thank you and Happy 2022! 🥳

-Juan

--

BFlat+ Media Publishing
Juan Pablo Chavez
106 ½ Judge John Aiso St. #722
Los Angeles, CA 90012
http://bflatplus.media/publishing
(702) 706-ARTS

% Reason, Logic & Law
151 1st Ave, 270,
New York, NY 10003
http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez
$reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com
Tel: (302) 566-JUAN

Chime: $JuanPabloChavez

BFlat+ Media Publishing
Juan Pablo Chavez
106 ½ Judge John Aiso St. #722
Los Angeles, CA 90012
http://bflatplus.media/publishing
(702) 706-ARTS

% Reason, Logic & Law
151 1st Ave, 270,
New York, NY 10003
http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez
$reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com
Tel: (302) 566-JUAN

Chime: $JuanPabloChavez

--
—
bit.ly/pay4music

Cashapp/Chime: $juanpablochavez

Venmo/Insta: @rtsmediaink

http://juanpchavez.com

mgmt: chiefm@3stro.com

(302) 566-JUAN

--
—
bit.ly/pay4music

Cashapp/Chime: $juanpablochavez

Venmo/Insta: @rtsmediaink

http://juanpchavez.com

mgmt: chiefm@3stro.com

(302) 566-JUAN

---------- Forwarded message ---------
From: **Juan Chavez** <jchavez@alumni.berklee.edu>
Date: Wed, Jan 29, 2020, 3:42 PM
Subject: Fwd: [D]eliverable: Re: Online check-in, financial aid, login...
To: Adderley, Michelle <Michelle.Adderley@capella.edu>
Cc: <FAFlexPath@capella.edu>

From: Juan Chavez <jchavez@alumni.berklee.edu>
To: "Adderley, Michelle" <Michelle.Adderley@strategiced.com>

Date: Wed, 29 Jan 2020 18:16:21 -0500
Subject: Re: Online check-in, financial aid, login...

Ms. Adderley,

No! I am in no way involved with Berklee Online at this time and I apologize that you got that impression from my email sent a few hours ago.

Before you close anything... Would you please ***forward my last email to your supervisor and CC me***?

We need to address a few technology issues and review our correspondence dating back to 4/8/19.

Also, I took *Developing Effective Teams* from Sophia, as you suggested, and was unable to take the final, in spite of completing the course. :-(

Thank you for all your help.

-Juan

---------- Forwarded message ---------
From: <postmaster@capella.edu>
Date: Wed, Jan 29, 2020, 6:34 PM
Subject: Undeliverable: Re: Online check-in, financial aid, login...
To: <jchavez@alumni.berklee.edu>

Delivery has failed to these recipients or groups:

Adderley, Michelle (Michelle.Adderley@strategiced.com)

A problem occurred during the delivery of this message. Please try to resend the message later. If the problem continues, contact your email admin.

The following organization rejected your message: EX13-PRD-MB03.strayer.edu.

Diagnostic information for administrators:

Generating server: pwexchmb02.int.capella.lan

Michelle.Adderley@strategiced.com
EX13-PRD-MB03.strayer.edu
Remote Server returned '554 5.4.6 Hop count exceeded - possible mail loop'

Original message headers:

```
Received: from pwexchmb04.int.capella.lan (10.35.116.123) by
 pwexchmb02.int.capella.lan (10.71.157.186) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:34:46 -0600
Received: from pwexchmb03.int.capella.lan (10.35.117.117) by
 pwexchmb04.int.capella.lan (10.35.117.161) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:34:15 -0600
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 pwexchmb03.int.capella.lan (10.35.117.160) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5 via Frontend Transport; Wed, 29 Jan 2020 17:34:15 -0600
X-CrossPremisesHeadersFilteredBySendConnector: EX13-PRD-MB02.strayer.edu
Received: from EX13-PRD-MB03.strayer.edu (10.225.0.113) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3; Wed, 29 Jan 2020 18:19:13 -0500
Received: from pwexchmb02.int.capella.lan (10.71.156.171) by
```

EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3 via Frontend Transport; Wed, 29 Jan 2020 18:19:13 -0500
Received: from pwexchmb05.int.capella.lan (10.71.157.63) by
 pwexchmb02.int.capella.lan (10.71.157.186) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:19:07 -0600
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 pwexchmb05.int.capella.lan (10.71.157.187) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5 via Frontend Transport; Wed, 29 Jan 2020 17:19:07 -0600
X-CrossPremisesHeadersFilteredBySendConnector: EX13-PRD-MB02.strayer.edu
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3; Wed, 29 Jan 2020 18:18:35 -0500
Received: from pwexchmb02.int.capella.lan (10.71.156.171) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3 via Frontend Transport; Wed, 29 Jan 2020 18:18:35 -0500
Received: from pwexchmb03.int.capella.lan (10.35.117.117) by
 pwexchmb02.int.capella.lan (10.71.156.171) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:34 -0600
Received: from pwexchmb04.int.capella.lan (10.35.116.123) by
 pwexchmb03.int.capella.lan (10.35.117.117) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:34 -0600
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 pwexchmb04.int.capella.lan (10.35.117.161) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5 via Frontend Transport; Wed, 29 Jan 2020 17:18:34 -0600
X-CrossPremisesHeadersFilteredBySendConnector: EX13-PRD-MB02.strayer.edu
Received: from EX13-PRD-MB03.strayer.edu (10.225.0.113) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3; Wed, 29 Jan 2020 18:18:33 -0500
Received: from pwexchmb05.int.capella.lan (10.71.157.63) by
 EX13-PRD-MB03.strayer.edu (10.225.0.113) with Microsoft SMTP Server (TLS) id
 15.0.1473.3 via Frontend Transport; Wed, 29 Jan 2020 18:18:33 -0500
Received: from pwexchmb03.int.capella.lan (10.35.117.117) by
 pwexchmb05.int.capella.lan (10.71.157.63) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:32 -0600
Received: from pwexchmb04.int.capella.lan (10.35.116.123) by
 pwexchmb03.int.capella.lan (10.35.117.117) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:32 -0600
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 pwexchmb04.int.capella.lan (10.35.116.123) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5 via Frontend Transport; Wed, 29 Jan 2020 17:18:32 -0600
X-CrossPremisesHeadersFilteredBySendConnector: EX13-PRD-MB02.strayer.edu
Received: from EX13-PRD-MB03.strayer.edu (10.225.0.113) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3; Wed, 29 Jan 2020 18:18:31 -0500
Received: from pwexchmb05.int.capella.lan (10.71.157.63) by
 EX13-PRD-MB03.strayer.edu (10.225.0.113) with Microsoft SMTP Server (TLS) id
 15.0.1473.3 via Frontend Transport; Wed, 29 Jan 2020 18:18:31 -0500
Received: from pwexchmb04.int.capella.lan (10.35.116.123) by
 pwexchmb05.int.capella.lan (10.71.157.63) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:30 -0600
Received: from pwexchmb03.int.capella.lan (10.35.117.117) by
 pwexchmb04.int.capella.lan (10.35.117.161) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5; Wed, 29 Jan 2020 17:18:30 -0600
Received: from EX13-PRD-MB02.strayer.edu (10.225.0.112) by
 pwexchmb03.int.capella.lan (10.35.117.160) with Microsoft SMTP Server
 (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1713.5 via Frontend Transport; Wed, 29 Jan 2020 17:18:30 -0600
X-CrossPremisesHeadersFilteredBySendConnector: EX13-PRD-MB02.strayer.edu
Received: from EX13-PRD-MB03.strayer.edu (10.225.0.113) by
 EX13-PRD-MB02.strayer.edu (10.225.0.112) with Microsoft SMTP Server (TLS) id
 15.0.1473.3; Wed, 29 Jan 2020 18:18:29 -0500
Received: from ashburngw2.strayer.edu (172.18.2.12) by
 EX13-PRD-MB03.strayer.edu (10.225.0.113) with Microsoft SMTP Server (TLS) id
 15.0.1473.3 via Frontend Transport; Wed, 29 Jan 2020 18:18:29 -0500
Received: from pps.filterd (PPT-PRD-MX02.strayer.edu [127.0.0.1])
        by PPT-PRD-MX02.strayer.edu (8.16.0.27/8.16.0.27) with SMTP id 00TN52cU031519
        for <Michelle.Adderley@strategiced.com>; Wed, 29 Jan 2020 18:16:29 -0500
Authentication-Results: StrategicED;

```
    spf=none smtp.mailfrom=jchavez@alumni.berklee.edu;
    dkim=pass header.d=berklee.edu header.s=primary;
    dmarc=none header.from=alumni.berklee.edu
Received: from mail-io1-f68.google.com (mail-io1-f68.google.com [209.85.166.68])
        by PPT-PRD-MX02.strayer.edu with ESMTP id 2xs3c9qhmy-1
        (version=TLSv1.2 cipher=ECDHE-RSA-AES128-GCM-SHA256 bits=128 verify=NOT)
        for <Michelle.Adderley@strategiced.com>; Wed, 29 Jan 2020 18:16:29 -0500
Received: by mail-io1-f68.google.com with SMTP id n21so1761309ioo.10
        for <Michelle.Adderley@strategiced.com>; Wed, 29 Jan 2020 15:16:28 -0800 (PST)
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;
        d=berklee.edu; s=primary;
        h=mime-version:references:in-reply-to:from:date:message-id:subject:to;
        bh=3vdYdlgL/2M6XLDG0xA4A0/oM2o6azZs3NogoiEtEpE=;
        b=Dsdxq1G92RzaDoev5sCsk6JSeRx2aphuVRjQC0RqhPIzQNZdF5FKUit9Lqy/9pJMUz
         pIm4HAY151xjcGy53Pt8Khj+3PXCE8So42oRKfG1Jf2Ye0V+VjiNQ+0feYKhtmTU8DC7
         gqi+iROzv7lVDYGK3soC41VbEB7ur7Tjy2ees=
X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;
        d=1e100.net; s=20161025;
        h=x-gm-message-state:mime-version:references:in-reply-to:from:date
         :message-id:subject:to;
        bh=3vdYdlgL/2M6XLDG0xA4A0/oM2o6azZs3NogoiEtEpE=;
        b=B4kyIeLHVwTS1LsOhvCyc/eBDNR7oh1uKxlvsdrHiGMN/b5DrjZABAXXAaPSzIcyEr
         BB4+nGZF5hcD6Y5uMHA085mC0b4Mi1PBBdulGxnPwEbw/c441l7Htw7GpYZzB00gIzjU
         l0V0lRo+IGr3SNe2oKf6kVmhEjx5/YpXE9dAz/9sM6XkTK20Nw5e+edmV11XFVyK1ITq
         UfmzCM68YuktfNYVcEOrLtZBRcWfqAbFa34syip2FCoTX9GKhY+6TYwMUyVP0jIdPzIn
         CMpEW5HHGV/YxufhXw/G9aU162+HlYn1JtRKlH/A/oaVacaGgb4dKITfmJXWTlQosC3J
         HgvA==
X-Gm-Message-State: APjAAAVa6wUdKH2pbO8XUXpMf22GE9UFJgapV80xoLXOtoefmwF8FPwq
        V3MyX6Q/PX3/mAQZib6A3GCYqo/n4UNWWpn6/Xor/WODpPE=
X-Google-Smtp-Source: APXvYqwD0kxD/m8ofIXaaJ3YQ7Bz7DssC335x3TYR+VFLnN9J95DKIsCcRtYkDB2ZZW2VXB+
TBdY9uRqbj4ATodgZWI=
X-Received: by 2002:a6b:398b:: with SMTP id g133mr1625543ioa.7.1580339788004;
 Wed, 29 Jan 2020 15:16:28 -0800 (PST)
References: <CAN7sLwWWc2O_uqtWzt_XeSCj2pfGmNgHZeqWs1u5JmQtcgyoYw@mail.gmail.com>
 <CAA_eB+63UYQV_fz5vnQLcAKHG6P8UBdbqyA3767SAnt3rRdOLA@mail.gmail.com>
 <CAN7sLwV+MOEM6nmMtf6_sxL3xP6xFN3bJYUF+zgAPCypetkTrQ@mail.gmail.com>
 <CAOhOx2q6LOMq_b9Vi=AeuL7OvndJ9M1RKqgo0e8e2XPtm4yNJw@mail.gmail.com>
 <CAN7sLwVCWeXHnS=K=PPCO+et9pOe+JZWg9COfmyo8HkHX74rkA@mail.gmail.com>
 <DM5PR22MB16597AD9B8FF4F94FC62A78EFB050@DM5PR22MB1659.namprd22.prod.outlook.com>
In-Reply-To: <DM5PR22MB16597AD9B8FF4F94FC62A78EFB050@DM5PR22MB1659.namprd22.prod.outlook.com>
From: Juan Chavez <jchavez@alumni.berklee.edu>
Date: Wed, 29 Jan 2020 18:16:21 -0500
Message-ID: <CAN7sLwUyMZC00EteqW+Ys-jO8zVroc_EFq0=MjM8Egv8kOMxGg@mail.gmail.com>
Subject: Re: Online check-in, financial aid, login...
To: "Adderley, Michelle" <Michelle.Adderley@strategiced.com>
Content-Type: multipart/alternative; boundary="000000000000b068a1059d4f87e3"
MIME-Version: 1.0
X-Proofpoint-Virus-Version: vendor=fsecure engine=2.50.10434:,, definitions=2020-01-29_07:,,
 signatures=0
X-Proofpoint-Spam-Details: rule=inbound_notspam policy=inbound score=0 suspectscore=2 malwarescore=0
 phishscore=0 bulkscore=0 spamscore=0 mlxscore=0 mlxlogscore=657
 adultscore=0 classifier=spam adjust=0 reason=mlx scancount=1
 engine=8.0.1-1911140001 definitions=main-2001290179
Return-Path: jchavez@alumni.berklee.edu
X-OrganizationHeadersPreserved: EX13-PRD-MB02.strayer.edu
X-CrossPremisesHeadersFilteredBySendConnector: pwexchmb05.int.capella.lan
X-OrganizationHeadersPreserved: pwexchmb05.int.capella.lan
X-OrganizationHeadersPreserved: EX13-PRD-MB02.strayer.edu
X-CrossPremisesHeadersFilteredBySendConnector: pwexchmb05.int.capella.lan
X-OrganizationHeadersPreserved: pwexchmb05.int.capella.lan
X-OrganizationHeadersPreserved: EX13-PRD-MB02.strayer.edu
X-CrossPremisesHeadersFilteredBySendConnector: pwexchmb02.int.capella.lan
X-OrganizationHeadersPreserved: pwexchmb02.int.capella.lan
X-OrganizationHeadersPreserved: EX13-PRD-MB02.strayer.edu
X-CrossPremisesHeadersFilteredBySendConnector: pwexchmb02.int.capella.lan
X-OrganizationHeadersPreserved: pwexchmb02.int.capella.lan
X-OrganizationHeadersPreserved: EX13-PRD-MB02.strayer.edu
X-OrganizationHeadersPreserved: pwexchmb02.int.capella.lan
X-CrossPremisesHeadersFilteredByDsnGenerator: pwexchmb02.int.capella.lan
```

---------- Forwarded message ---------
From: Juan Chavez <jchavez@alumni.berklee.edu>
To: "Adderley, Michelle" <Michelle.Adderley@strategiced.com>
Cc:
Bcc:

Date: Wed, 29 Jan 2020 19:16:21 -0500
Subject: Re: Online check-in, financial aid, login...
Ms. Adderley,

No! I am in no way involved with Berklee Online at this time and I apologize that you got that impression from my email sent a few hours ago.

Before you close anything... Would you please **_forward my last email to your supervisor and CC me_**?

We need to address a few technology issues and review our correspondence dating back to 4/8/19.

Also, I took *Developing Effective Teams* from Sophia, as you suggested, and was unable to take the final, in spite of completing the course. :-(

Thank you for all your help.

-Juan

On Wed, Jan 29, 2020, 3:19 PM Adderley, Michelle <Michelle.Adderley@strategiced.com> wrote:

> Hi Juan,
>
> Thank you for reaching out! In reading this, it looks as though you are deciding to go with Berklee online for now. I will close out the application that we currently have open for you. *If things do not work out with Berklee*, and you decide that you want to attend Capella, please contact us directly and specify which program, and month that you wish to start, and we can definitely assist you at that point.
>
> Have a good day!
>
> **Michelle Adderley** | Enrollment Counselor | Capella.edu | | Refer a Friend | Opt in to Text
>
> Phone: 888.849.4095 | Fax: 888.227.8492 | 225 South 6th Street, Minneapolis, MN 55402
>
> **From:** Juan Chavez <jchavez@alumni.berklee.edu>
> **Sent:** Monday, January 27, 2020 4:54 PM
> **To:** mhorton@berklee.edu; Amanda Lozada <alozada@berklee.edu>
> **Cc:** financialaid@berklee.edu; Technology Support <2238@berklee.edu>; registrar@berklee.edu
> **Subject:** Re: Online check-in, financial aid, login...
>
> Again, my goal is to be able to meet pre-med requirements for SABA University in the Dutch Caribbean utilizing a private Consortium agreement through *Berklee Online* with *University of New England Online* and *Harvard Extension School Online*. Ultimately finishing my degree with a Bachelors of Science from capella.edu, if a Berklee degree is incapable of helping me reach my goals of becoming a medical doctor and obtaining a juris doctorate. Being mentally and physically, permanently disabled... Taking courses from a *smart phone* accommodates me tremendously and provides great accessibility and latitude.
>
> Please help anyway you can? I'm so thankful for everything you've already done and I look forward to continuing my studies with you.
>
> -Juan

---------- Forwarded message --------
From: **Adams, Aurora** <Aurora.Adams@capella.edu>
Date: Tue, Apr 9, 2019, 9:00 AM
Subject: Capella University l BS in Business Administration
To: jchavez@alumni.berklee.edu <jchavez@alumni.berklee.edu>

Hi Juan,

Thank you for taking the time to speak with me today! I have included links below to help you continue your research. Please let me know if I can help with any additional questions, all of my contact information is listed below.

http://capellalive.com/viewmail?mb=5iMMMHZnV4kkmjoPvh3 – **Click this link for visuals!**

Here is more information on our **BS in Business with a specialization in Business Administration** degree. You can also review its required classes by clicking here.

Thanks again for your time today; I look forward to our next conversation.

Sincerely,

Aurora Adams | Senior Enrollment Counselor | Capella.edu | Facebook page | Refer a Friend

Phone: 888.249.6825 | Fax: 888.227-8492 | 225 South 6th Street, Minneapolis, MN 55402Ok

Keith Seidl

& Sophia

https://drive.google.com/drive/folders/1-BO-LVOpGw2AbKRr2bCrQccP7STS7ew9

21-cv-8526 (VEC) 1ST AMEND. COMPLAINT & 21-3067 2d. Cir. Appeal Package

1 message

Judith Lanham <Judith_Lanham@vaed.uscourts.gov>   Thu, Dec 30, 2021 at 7:18 PM
To: Juan Chavez <jchavez@alumni.berklee.edu>, CA02db ProSeCases <prosecases@ca2.uscourts.gov>, Temporary Pro Se
Filing NYSD <temporary_pro_se_filing@nysd.uscourts.gov>, NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>,
Caproni Clerkship NYSD <CaproniClerkship@nysd.uscourts.gov>, efilingsupport@supremecourt.gov, question@nycourts.gov,
Postmaster Redirect <Postmaster@uscourts.gov>
Cc: Toliver Totenberg <contracts@reasonlogiclaw.com>, Pedro Grant <chiefm@3stro.com>,
artsmedia.technology@gmail.com, victimassistance.fraud@usdoj.gov, protective_int@usdoj.gov

I can't accept pleadings via email you Need to mail in originals.

Get Outlook for iOS

From: Juan Chavez <jchavez@alumni.berklee.edu>
Sent: Thursday, December 30, 2021 6:33:32 PM
To: CA02db ProSeCases <prosecases@ca2.uscourts.gov>; Temporary Pro Se Filing NYSD
<temporary_pro_se_filing@nysd.uscourts.gov>; NYSD Swain Corresp
<SwainNYSDcorresp@nysd.uscourts.gov>; Caproni Clerkship NYSD
<CaproniClerkship@nysd.uscourts.gov>; efilingsupport@supremecourt.gov
<efilingsupport@supremecourt.gov>; question@nycourts.gov <question@nycourts.gov>; Postmaster
Redirect <Postmaster@uscourts.gov>
Cc: Toliver Totenberg <contracts@reasonlogiclaw.com>; Pedro Grant <chiefm@3stro.com>;
artsmedia.technology@gmail.com <artsmedia.technology@gmail.com>; victimassistance.fraud@usdoj.gov
<victimassistance.fraud@usdoj.gov>; protective_int@usdoj.gov <protective_int@usdoj.gov>
Subject: 21-cv-8526 (VEC) 1ST AMEND. COMPLAINT & 21-3067 2d. Cir. Appeal Package

 CAUTION - EXTERNAL:

21-cv-8526 (VEC) 1ST AMEND. COMPLAINT & 21-3067 2d. Cir. Appeal Package 📦📦📦

BFlat+ Media Publishing
Juan Pablo Chavez
106 ½ Judge John Aiso St. #722
Los Angeles, CA 90012
http://bflatplus.media/publishing
(702) 706-ARTS

% Reason, Logic & Law
151 1st Ave, 270,
New York, NY 10003
http://reasonlogiclaw.com
(202) 643-3LAW

PayPal: bit.ly/pay4music

Cashapp: $juanpablochavez $reasonlogiclaw

Coinbase Wallet: @reasonlogiclaw

Venmo/Insta: @rtsmediaink
Twitter: @rtsmediatech @reasonlogiclaw

Web: juanpchavez.com
Mgmt: chiefm@3stro.com

Tel: (902) 568-SCAN

Chime: $JuanPabloChavez

---------- Forwarded message ---------
From: **Laura Roberts** <lroberts@voala.org>
Date: Thu, Dec 30, 2021, 2:14 PM
Subject: FW: Scanned image from MX-M3571
To: Juan Chavez <jchavez@alumni.berklee.edu>

--
Laura Roberts
Case Manager Specialist Crisis/Bridge
Transition House
Phone 213-232 0889 Ext.8120

www.voala.org
"Helping our most vulnerable change their life stories"

CONFIDENTIALITY/PRIVACY NOTICE: The contents of this email message and any
attachments are intended solely for the addressee(s)/recipient(s) and may
contain confidential and/or private information that may be legally
protected from disclosure. If you are not the intended recipient(s) of this
message or if this message has been addressed to you in error, please
immediately alert the sender by reply email and immediately delete the
message and any attachments. If you are not the intended recipient(s), do
not examine, use, circulate, publicize, duplicate in any form, or store this
message or any of its attachments as doing so is strictly prohibited by law
and may subject you to potential civil fines and/or liability.

-----Original Message-----
From: crisishousing@voala.org [mailto:crisishousing@voala.org]
Sent: Thursday, December 30, 2021 2:13 PM
To: lroberts@voala.org
Subject: Scanned image from MX-M3571

Reply to: Crisis Housing <crisishousing@voala.org > Device Name: Not Set
Device Model: MX-M3571
Location: Not Set

File Format: PDF MMR(G4)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.
Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated
to view the document.
Adobe(R)Reader(R) can be downloaded from the following URL:
Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are
registered trademarks or trademarks of Adobe Systems Incorporated in the
United States and other countries.

    http://www.adobe.com/

**CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments
or clicking on links.**

THERE is ERROR in the trial courts cert. ...
As such, we shall ORDER BRIEFING ON THE MERITS.

UNITED STATES DISTRICT COURT

for the

_____ S./E. _____ DISTRICT OF _____ N.Y. _____

bit.ly/the_keeping)
)
Plaintiff)
)
)
v.)
)   Case No. _21-3067_
MARiE, et ya/l.)   (pooler) (chin) (Livingston)
)
Defendant)
)
)

AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

current income: $936.19/m   Expenses: > $4K/m

Affidavit in Support of Motion	Instructions
I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)	Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.
Signed:	Date: Thurs. 30 DEC, 21

My issues on appeal are: _____ Dist./state courts refusing leave
to initiate an action ... ifp. Review De Novo the cert.
showing error: we shall order briefing on the merits w/ assist.
of counsel / Transcript showing err.

1.   _For both you and your spouse estimate the average amount of money received from each_
       of the following sources during the past 12 months. Adjust any amount that was received
       weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use
       gross amounts, that is, amounts before any deductions for taxes or otherwise.

Rev. 12.1.2018

THE KEEP NY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN CARLOS CHAVEZ
_____

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

CAUSE

YALL TOOK MY PHONE[S]
_____

(List the full name(s) of the defendant(s)/respondent(s).)

21 CV 8526 (LTS)(VEC)

**MOTION FOR EXTENSION
OF TIME TO FILE NOTICE
OF APPEAL**

OR

NOTICE OF APPEAL
bit.ly/thekeepny

I move under Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time

to file a notice of appeal in this action. I would like to appeal the judgment

entered in this action on   11 | 16 | 21   but did not file a notice of appeal within the required
                            date

time period because: PRASS OF CAMBA "TOOK MY BED", FORCED 2-week

INVOLUTARY civil COMMITMENT @ BROOKDALE ; conducted

a filthy act w/ the 73rd precinct that destroyed

the white work horse violin and involuntary servitude @ VOA

(Explain here the excusable neglect or good cause that led to your failure to file a timely notice of appeal.)

Los Angeles.

12 | 16 | 21
Dated:

Chavez, Juan C
Name (Last, First, MI)

Signature

c/o Reason, Logic & Law   151 1st Ave, NY, NY 10003
Address   City   State   Zip Code

(202) 643-3LAW
Telephone Number

reasonlogiclaw@gmail.com
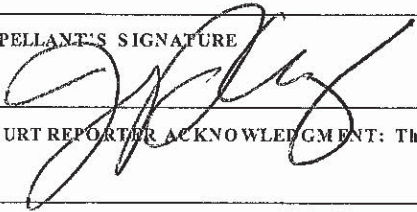E-mail Address (if available)

Rev. 3/27/15

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

CIVIL APPEAL TRANSCRIPT INFORMATION (FORM D-P)
FOR PRO SE APPELLANTS

A PRO SE APPELLANT MUST FILE THE ORIGINAL OF THIS FORM WITH THE CLERK OF THE SECOND CIRCUIT IN ALL CIVIL APPEALS WITHIN 14 CALENDAR DAYS AFTER FILING A NOTICE OF APPEAL.

THIS SECTION MUST BE COMPLETED BY APPELLANT		
CASE TITLE CHAVEN v. YALL	**DISTRICT** S. E. of NY	**DOCKET NUMBER** 21-3067 21-CV-8526
	JUDGE HON. CHIEF SWAIN	**APPELLANT**
	COURT REPORTER	**PRO SE APPELLANT** JUAN [--] CARLOS

Check the applicable provision:	PROVIDE A DESCRIPTION, INCLUDING DATES, OF THE PROCEEDINGS FOR WHICH A TRANSCRIPT IS REQUIRED (*i.e.*, oral argument, order from the bench, etc.)
☐ I am ordering a transcript.	
☑ I am not ordering a transcript.	
Reason for not ordering a transcript:	
☐ Copy is already available	
☐ No transcribed proceedings	
☑ Other (Specify in the space below):	
Deprived meaningful access	**METHOD OF PAYMENT** ☐ Funds ☐ CJA Voucher (CJA 21)
INSTRUCTIONS TO COURT REPORTER:	**DELIVER TRANSCRIPT TO: (APPELLANT'S NAME, ADDRESS, TELEPHONE)**
☐ PREPARE TRANSCRIPT OF PRE-TRIAL PROCEEDINGS	
☐ PREPARE TRANSCRIPT OF TRIAL	
☐ PREPARE TRANSCRIPT OF OTHER POST-TRIAL PROCEEDINGS	
☑ OTHER (Specify in the space below):	
Prepare equal footing	

If a transcript is ordered, I certify that I have sent this form to the court reporter and have made satisfactory arrangements with the court reporter for payment of the cost of the transcript. *See* FRAP 10(b). I understand that unless I have already ordered the transcript, I shall order its preparation at the time required by FRAP and the Local Rules.

APPELLANT'S SIGNATURE	DATE 4:44 A.M PST THURS. DEC 30, 2021

COURT REPORTER ACKNOWLEDGMENT: This section is to be completed by the court reporter. Return one copy to the Clerk of the Second Circuit.

DATE ORDER RECEIVED	ESTIMATED COMPLETION DATE	ESTIMATED NUMBER OF PAGES
SIGNATURE OF COURT REPORTER		DATE

Revised June, 2017

ACKNOWLEDGMENT AND NOTICE OF APPEARANCE

Short Title: __CHAVEN v. Yall__   Docket No.: __21- 3067__

Lead Counsel of Record (name/firm) or Pro se Party (name): __c/o Reason, Logic & Law__
__151 1st Ave, 270, New York, NY 10003__
Appearance for (party/designation): none

DOCKET SHEET ACKNOWLEDGMENT/AMENDMENTS

Caption as indicated is:
☐ Correct
☑ Incorrect.   See attached caption page with corrections.

Appellate Designation is:
☐ Correct
☑ Incorrect.   The following parties do not wish to participate in this appeal:
    Parties: __J. P. ; Yall__
☐ Incorrect.   Please change the following parties' designations:
    Party   Correct Designation

Contact Information for Lead Counsel/Pro Se Party is:
☐ Correct
☑ Incorrect or Incomplete.   As an e-filer, I have updated my contact information in the PACER "Manage My Account" screen.

Name: __JUAN - CARLOS CHAVEN__
Firm: __c/o Reason, Logic & Law__
Address: __151 1st Ave, 270, NY, NY 10003__
Telephone: __(202) 643- 3LAW__   Fax: __1813762 6514__
Email: __reasonlogiclaw@gmail.com BLOCKED BY C. RUDDEN & CONSORTS__

RELATED CASES

☑ This case has not been before this Court previously.
☐ This case has been before this Court previously.   The short title, docket number, and citation are:_____

☐ Matters related to this appeal or involving the same issue have been or presently are before this Court.   The short titles, docket numbers, and citations are: _____

CERTIFICATION

I certify that ☐ I am admitted to practice in this Court and, if required by LR 46.1(a)(2), have renewed my admission on
_____ OR that ☐ I applied for admission on_____or renewal on
_____.   If the Court has not yet admitted me or approved my renewal, I have completed Addendum A.
Signature of Lead Counsel of Record:_____
Type or Print Name:_____
        OR
Signature of pro se litigant: _____
Type or Print Name:_____
☐ I am a pro se litigant who is not an attorney.
☑ I am an incarcerated pro se litigant.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

CAPTION:

bit.ly / thekeephy

v.

CERTIFICATE OF SERVICE*

Docket Number: _21 - 3067_

MARiE ; et yall .

I, _JUAN-CARLOS CHAVEN_, hereby certify under penalty of perjury that
    (print name)

on _12/30/21_ , I served a copy of _pro se ifp 14 day_
    (date)   _Appeal package_
    (list all documents)

by (select all applicable)**

___ Personal Delivery   ___ United States Mail   ___ Federal Express or other
                                                                    Overnight Courier

___ Commercial Carrier   ✓ E-Mail (on consent)

on the following parties:

pro se cases @ Ca2 . uscourts . gov
Name   Address   City   State   Zip Code

_Temporary_Pro_Se_filing @ nysd . uscourts . gov_
Name   Address   City   State   Zip Code

S wain NYSD Corresp @ nysd . uscourts . gov
Name   Address   City   State   Zip Code

Caproni Clerkship @ nysd . uscourts . gov
Name   Address   City   State   Zip Code

*A party must serve a copy of each paper on the other parties, or their counsel, to the appeal or proceeding. The Court will reject papers for filing if a certificate of service is not simultaneously filed.

**If different methods of service have been used on different parties, please complete a separate certificate of service for each party.

_12/30/21_
Today's Date

Signature

Certificate of Service Form (Last Revised 12/2015)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN CARLOS CHAVEZ,

                      Plaintiff,

        -against-

CAUSE YALL TOOK MY PHONE I DON'T
KNOW THEIR NAMES,

                      Defendants.

21-CV-8526 (LTS)

ORDER OF DISMISSAL

[handwritten annotations in margins: "1: 2020cv06630 / Filing 1 10/16/2020 / pg 3 of 6 / line 12.5"; "plain err depriving mean. access & equal footing w/ Paying litigants."]

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff filed this complaint *pro se*. By order dated October 20, 2021, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* (IFP). The Court dismisses the complaint for the reasons set forth below.

STANDARD OF REVIEW

The Court must dismiss a complaint, or portion thereof, that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b); *see Abbas v. Dixon*, 480 F.3d 636, 639 (2d Cir. 2007). While the law mandates dismissal on any of these grounds, the Court is obliged to construe pro se pleadings liberally, *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009), and interpret them to raise the "strongest [claims] that they suggest," *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474-75 (2d Cir. 2006) (internal quotation marks and citations omitted) (emphasis in original).

A claim is frivolous when it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 324-25 (1989), *abrogated on other grounds by Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007); *see also Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992) (holding that "finding of factual frivolousness is appropriate when the facts alleged rise to the

level of the irrational or the wholly incredible"); *Livingston v. Adirondack Beverage Co.*, 141 F.3d 434, 437 (2d Cir. 1998) ("[A]n action is 'frivolous' when either: (1) the factual contentions are clearly baseless . . . ; or (2) the claim is based on an indisputably meritless legal theory.") (internal quotation marks and citation omitted).

BACKGROUND

Page one of Plaintiff's complaint contains the following text: "bit.ly/the keeping." (ECF 1 at 1.) Pages two and four consist of a drawing of what appears to be a guitar or violin. (*Id.* at 2 and 2-2.) Page three states, "It's me, Juan here, w/ Ancona and his other one. I am sorry for the new complaint." (*Id.* at 3.) The named defendants are "cause yall took my phone I don't know their names." (*Id.*)

DISCUSSION

Even when read with the "special solicitude" due *pro se* pleadings, *Triestman*, 470 F.3d at 474-75, Plaintiff's claims rise to the level of the irrational, and there is no legal theory on which he can rely. *See Denton*, 504 U.S. at 33; *Livingston*, 141 F.3d at 437. The complaint does not contain a single fact suggesting that Plaintiff can state a viable claim that falls within the Court's jurisdiction. (*Id.*)

District courts generally grant a *pro se* plaintiff an opportunity to amend a complaint to cure its defects, but leave to amend is not required where it would be futile. *See Hill v. Curcione*, 657 F.3d 116, 123-24 (2d Cir. 2011); *Salahuddin v. Cuomo*, 861 F.2d 40, 42 (2d Cir. 1988). Because the defects in Plaintiff's complaint cannot be cured with an amendment, the Court declines to grant Plaintiff leave to amend.

LITIGATION HISTORY AND WARNING

Plaintiff has filed scores of cases in this and other Districts, both under his own name and under fictitious names, which have been dismissed for lack of merit or for failure to comply with

2

court orders. *See, e.g., Natural-Unido v. Broad Corp. Does*, ECF 1:21-CV-5586, 7 (S.D.N.Y. Nov. 3, 2021) (listing twenty cases).

In light of Plaintiff's litigation history, this Court finds that Plaintiff was or should have been aware when he filed this complaint that it lacked merit. *See Sledge v. Kooi*, 564 F.3d 105, 109-110 (2d Cir. 2009) (discussing circumstances where frequent *pro se* litigant may be charged with knowledge of particular legal requirements)." Plaintiff is warned that further duplicative or frivolous litigation in this Court will result in an order barring Plaintiff from filing new actions IFP without prior permission. *See* 28 U.S.C. § 1651.

CONCLUSION

Plaintiff's complaint is dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: November 16, 2021
   New York, New York

          /s/ Laura Taylor Swain
          LAURA TAYLOR SWAIN
          Chief United States District Judge

FIRST-CLASS MAIL
$01.56
ZIP 10007
041L11231718

neopost
11/18/2021
US POSTAGE

CLERK
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PATRICK MOYNIHAN UNITED STATES COURTHOUSE
1 PEARL STREET, NEW YORK, NY 10007-1312

OFFICIAL BUSINESS

Juan ███ Chavez
c/o Reason, Logic & Law
151 1st Ave.
#270
New York, NY 10003

1

2

**United States District Court
for the Southern District of New York**

3

4

5

6

7

8

9

10

11

Juan-Carlos Chavez,
 ℅ Reason, Logic & Law
 151 1st Ave., 270
 New York, NY 10003
 	
      Plaintiff *Sui Juris IFP*,
 	
 v.
 	
 Tatiana Eva-Marie; Adrien Chevalier;
 thekeepny.com; & three John Doe servants
 of The Keep,
        Defendants.
	21-3067 (Pool)(Chin)(Living)
	 21-cv-8526 (LTS)
	
	 Discrimination/Segregation, Conspiracy &
	 Libel Suit and other pro se *ifp* suggested
	 claims

12

Statement of Claim

13

14

15

Federal Rule of Civil Procedure 8(a)(2) requires only "a short and plain statement of the claim showing that the pleader is entitled to relief," in order to "give the defendant fair notice of what the . . . claim is and the grounds upon which it rests," Conley v. Gibson, 355 U.S. 41, 47, 78 S. Ct. 99.

16

17

Defendants "intentionally violated" [Plaintiff's] "IP rights" and "has not paid" him for "artist work." <u>Chavez v. Fancy; Corpo. *et yall*, 1:17-cv-09572 (CM)</u> 12/22/17 Order to Amend

18

19

20

21

22

23

42 U.S.C. § 1981 provides that: "[a]ll persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens . . . ." For the purposes of § 1981 "the term 'make and enforce contracts' includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship." 42 U.S.C. § 1981. The rights protected under § 1981 "are protected against impairment by nongovernmental discrimination and impairment under color of State law." Id.

24

25

Simply put, defendants conspired over the course of two months to false imprison Plaintiff on stage in front of a crowd so they could humiliate him and harm his music. Doe defendants reside in this district and all maintain minimum contacts. The Keep is a hotspot for ketamine/MDMA illegal sales.

26

27

28

1

2   "To establish a claim under 42 U.S.C. § 1981, plaintiffs must allege facts supporting the
following elements: (1) plaintiffs are members of a racial minority; (2) defendants' intent to
3   discriminate on the basis of race; and (3) discrimination concerning one of the statute's
enumerated activities." Brown v. City of Oneonta, N. Y., 221 F.3d 329, 339 (2d Cir. 2000) (citing
4   Mian v. Donaldson, Lufkin & Jenrette Sec. Corp., 7 F.3d 1085, 1087 (2d Cir. 1993) (per curiam)).
5   Also, "[l]iability may not be imposed under § 1981 without proof of intentional discrimination."
Gen. Bldg. Contractors Ass'n, Inc. v. Pennsylvania, 458 U.S. 375 (1982).

6

7   Plaintiff is a member of a racial minority. While appearing to be white and operating under a
pseudonym that concealed the plaintiff's racial minority. . . Tatiana Eva-Marie encouraged
8   Plaintiff to enjoy the benefits, and conditions of the "Open" Jazz Jam at The Keep by not
impairing his performance. Specifically, by not interrupting his solo and further conducting him
9   to "trade 4s" with the drummer after his solo. Her and the venue's staff also did not hinder
Plaintiff's enjoyment of their purchased beverage while operating under the pseudonym and
10 appearing white.

11 A few years later, while Plaintiff was operating under his natural title and donning a Mexican flag
12 hanging from his right jean pocket, he returned to The Keep's Open Jam and Adrien Chevalier
encouraged white members of the public to perform multiple songs, while Plaintiff was only
13 permitted to perform one full song. That night, Adrien Chevalier mocked plaintiff's name on the
microphone in a taunting Mexican accent as plaintiff was leaving. On the Fall Equinox, Adrien
14 Chevalier segregated plaintiff, informing him that he couldn't sit/stand in open seating because it
was "confusing" and in a disparate manner informed plaintiff that if he wished to play music he
15 had to wait and "call a tune".
16 One of Plaintiff's left after witnessing and also being discouraged to use his voice freely.
Plaintiff complied and called a tune, but was not permitted to perform one full song that evening
17 or at the following week's sessions either. Also that night, John Doe defendant #1, a trumpet
player with their band who brings his little dog with him to the venue (and on stage), was
18 performing and Plaintiff took a standard violin solo once through the form. Adrien Chevalier
screamed at laintiff while on stage that he had to "take shorter solos". None of the white
19 musicians were spoken to disrespectfully. Many white musicians were encouraged to, and did,
20 play through the form multiple times

21 The following week on September 29, 2021, Tatiana Eva-Marie did not allow plaintiff to take a
violin solo, though no one else was soloing, and conducted the piano player to play over plaintiff.
22 Tatiana Eva-Marie told plaintiff he had to sit/stand elsewhere if he wished to perform. A white
woman sitting in the same area as plaintiff performed a violin solo and was not cut off just a few
23 songs later. That night, Plaintiff followed Tatiana Eva-Marie's direction and moved to where she
told him to perform. While doing so John Doe #1 while "on stage" with his dog cursed Plaintiff
24 and called him a clown. Plaintiff has never performed as a clown. Plaintiff was not dressed in any
25 clown outfit at that time. In the middle of his song, Tatiana Eva-Marie intentionally cut his
microphone off. When Plaintiff continued to sing without the microphone. . . . John Doe
26 defendant #2, the soda fountain operator, and John Doe Defendant #3, the doorman, accosted
27 plaintiff "on stage", surrounding him telling him that he was not allowed to stand there. The song
abruptly ended.

28

Page 2 of 3

("A claim for false arrest, resting on the Fourth Amendment right to be free from unreasonable seizures, is substantially the same as a claim for false arrest under New York law." (internal quotation marks omitted)).

"Under New York law, the elements of a false imprisonment [or false arrest] claim are: (1) the defendant intended to confine [the plaintiff], (2) the plaintiff was conscious of the confinement, (3) the plaintiff did not consent to the confinement[,] and (4) the confinement was not otherwise privileged." Curry v. City of Syracuse, 316 F.3d 324, 335 (2d Cir. 2003) (first and second alterations in original); see also Broughton v. State, 335 N.E.2d 310, 314 (N.Y. 1975) (same, discussing false imprisonment).

First, the plaintiff needs to prove the defendant caused, authorized, directed, or instigated the plaintiff's detention. Second, the plaintiff needs to prove that they were detained.
(5) the defendant had an active part in arresting the plaintiff.

"Under New York law, the existence of probable cause is an absolute defense to a false arrest claim." Jaegly, 439 F.3d at 152. "An officer has probable cause to arrest when [the officer] has 'knowledge or reasonably trustworthy information of facts and circumstances that are sufficient to warrant a person of reasonable caution in the belief that the person to be arrested has committed or is committing a crime.'" Id. (quoting Weyant v. Okst, 101 F.3d 845, 852 (2d Cir. 1996)).

Right after, Plaintiff inquired of Adrien Chevalier about what had just happened and one of his responses was, "we have to make money."
The white patrons were permitted to enjoy their beverages. The white patrons did not have rules imposed on them.

42 U.S. Code § 2000a - Prohibition against discrimination or segregation in places of public accommodation
(b)(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;
(3) any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

("[A] plaintiff alleging a violation of Section 2000a must allege facts which show that he was deprived of equal use and enjoyment of a covered facility's services and facts which demonstrate discriminatory intent.") (citing Thomas v. Tops Friendly Markets, Inc., 1997 WL 627553, *5 (N.D.N.Y. Oct. 8, 1997)).

Discriminatory intent may be shown by direct or circumstantial evidence, including evidence of a difference in treatment. Coward, 665 F. Supp. 2d at 307. Generally, in order to support an inference of discrimination, knowledge of a plaintiff's race must exist in tandem with other circumstances. Weiss v. La Suisse, 260 F. Supp. 2d 644, 657 (S.D.N.Y. 2003).

s/ Chavez
~~8/27/21~~ 12/30/21

Page 3 of 3

SUPREME COURT of U.S.
PETITION for WRIT of CERTIORARI
RULE NISI

ORDER TO SHOW CAUSE

Why such relief should not be?

1. Ne exeat - defendant designs quickly to depart $ GRANTED X s
PROHIBITION / MANDAMUS   Roberts, Sotomayor; Alito; KAGAN; Thomas
do   do   U.S. COURT OF APPEALS.

Motion for leave to proceed ifp with assistance
of counsel / transcript of record for showing
lack of good faith certification err

U.S District Court

                                    ifp
                    leave to file new actions w/o
Motion for prior permission pseudonymously

HIGHEST STATE COURRRT
        ??? Remove / mand

STATE COURT

Avoid free notary line -   poor person

Receive ETH

◆ ETH Wallet Address

Network

ETH ▾

0x3ef0d7679a3f696979e6
4bf5e5ebaf803f143c09

⬆ Share